

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application.

Listing of Claims:

1. (Currently Amended) A method of immunizing a vertebrate against an H1N1 influenza virus infection, said method comprising administering to a vertebrate, prior to infection by an H1N1 influenza virus, a composition consisting essentially of a plurality of the same plasmid vectors in a physiologically acceptable medium, the plasmid vectors comprising DNA encoding an H1N1 influenza virus antigen operatively linked to DNA which is a promoter, whereby a protective immune response comprising both a humoral immune response [[,]] and a cell-mediated immune response ~~;-or-both~~ is elicited against the antigen, to thereby protect the vertebrate against disease caused by a subsequent infection by an H1N1 influenza virus.
2. (Previously presented) The method of Claim 1, wherein the promoter of the plasmid vectors is of nonretroviral origin.
3. (Previously presented) The method of Claim 1, wherein the promoter of the plasmid vectors is of retroviral origin.
- 4-6. (Canceled)
7. (Currently Amended) The method of Claim 1, wherein the antigen is an H1N1 influenza virus hemagglutinin.
- 8.-10. (Canceled)
11. (Original) The method of Claim 1, wherein the vertebrate is a mammal.
12. (Previously presented) The method of Claim 11, wherein the mammal is a human.

13. (Previously presented) The method of Claim 1, wherein the composition is administered to a vertebrate through a route of administration selected from the group consisting of: intravenous, intramuscular, intraperitoneal, intradermal and subcutaneous.

14. (Previously presented) The method of Claim 1, wherein the composition is administered to a vertebrate by contacting the composition to a mucosal surface of the vertebrate.

15 - 19. (Canceled)

20. (Previously presented) The method of Claim 14, wherein the mucosal surface is a respiratory mucosal surface.

21. (Original) The method of Claim 20, wherein the respiratory mucosal surface is a nasal mucosal surface.

22. (Original) The method of claim 20, wherein the respiratory mucosal surface is a tracheal mucosal surface.

23 - 31. (Canceled)

32. (Currently Amended) A method of immunizing a vertebrate against an H1N1 influenza virus infection, said method comprising administering parenterally to the vertebrate, prior to infection by an H1N1 influenza virus, a plurality of the same plasmid vectors comprising DNA encoding an H1N1 influenza virus antigen operatively linked to DNA which is a promoter, wherein the plasmid vectors are administered with a gene gun, thereby eliciting a protective immune response comprising both a humoral ~~[[or]]~~ and a cell-mediated immune response, ~~or both,~~ against the antigen, whereby the vertebrate is protected from disease caused by a subsequent infection by the H1N1 influenza virus.

33. (Previously presented) The method of Claim 32, wherein the route of administration is chosen from the group consisting of intramuscular, intradermal and subcutaneous.

34. (Previously presented) The method of Claim 32, wherein the promoter of the plasmid vectors is of nonretroviral origin.

35. (Previously presented) The method of Claim 32, wherein the promoter of the plasmid vectors is of retroviral origin.

36 - 37. (Canceled)

38. (Currently Amended) The method of Claim 32, wherein the antigen is an H1N1 influenza virus hemagglutinin.

39 - 41. (Canceled)

42. (Original) The method of Claim 32, wherein the vertebrate is a mammal.

43. (Original) The method of Claim 42, wherein the mammal is a human.

44 - 56. (Canceled)

57. (Previously presented) The method of claim 1, wherein the promoter of the plasmid vectors comprises a cytomegalovirus promoter.

58. (Previously presented) The method of claim 32, wherein the promoter of the plasmid vectors comprises a cytomegalovirus promoter.

59. (New) The method of claim 1, wherein the H1N1 influenza antigen comprises type H1 hemagglutinin, and wherein the promoter comprises a cytomegalovirus immediate early promoter.

60. (New) The method of claim 32, wherein the H1N1 influenza antigen comprises type H1 hemagglutinin, and wherein the promoter comprises a cytomegalovirus immediate early promoter.